

Board Administration and Regulatory Coordination Unit

Division 3. Air Resources Board

Chapter 1. Air Resources Board

Subchapter 1. Administrative Procedures

Article 1. Board Meetings and Hearings

§ 60008. Local District Amendment of Regulations Adopted by State Board.

(a) For one year after the state board's adoption for a district of any program or portion thereof or rule, or regulation, any amendment by a district pursuant to its own regulations, of such program or portion thereof or rule, or regulation, shall not be effective for any purpose unless and until the state board finds that such amendment will not interfere with the district's ability to achieve and maintain the state's ambient air quality standards. The state board may at any time, by resolution adopted either on its own motion or at the request of an affected district, exempt from the provisions of this section any program or portion thereof or rule, or regulation adopted by it for a local district.

(b) Upon amendment by a district, within the one-year period provided in paragraph (a), of a program or portion thereof or rule, or regulation, adopted for it by the state board, the district shall file such amendment with the general counsel of the state board, accompanied by a request for review pursuant to this section. Within thirty (30) days of such filing, the board's executive officer shall review the amendment for the purpose of making the state board finding set forth in paragraph (a). In the event the executive officer finds that the amendments do not satisfy the requirements of paragraph (a), the executive officer shall notify the district in writing of such finding and set forth the specific reasons therefor. Unless the executive officer so notifies the district within the thirty-day period specified herein, the state board shall be deemed to have made the finding set forth in paragraph (a) of this section.

(c) The determination of the executive officer pursuant to paragraph (b) of this section shall be reviewable by the state board pursuant to the procedures set forth in Sections 60020-60023 of Title 17 of the California Administrative Code.

NOTE: Authority cited: Sections 39600, 39601 and 41504, Health and Safety Code. Reference: Sections 39002, 39500, 39600 and 41500, Health and Safety Code.

REFERENCE